

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
OCTOBER 21, 2015 at 7:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

PRESENT: Bert Clark, Dave Everett, JoAnn Cowan, Samantha Scott and Ted Munford. Mayor Sonja Norton was excused.

SELECTION OF MAYOR PRO TEMPORE: *Councilmember Ted Munford moved to appoint JoAnn Cowan as the Mayor Pro Tempore for this meeting. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Clark, Everett, Cowan, Scott and Munford voting in favor for a unanimous vote.*

WELCOME: Mayor Pro Tempore JoAnn Cowan welcomed everyone to the meeting and asked the students to please participate in the discussions.

INVOCATION OR UPLIFTING THOUGHT: An uplifting thought was given by Councilmember Dave Everett.

PLEDGE OF ALLEGIANCE: The pledge of Allegiance was led by Councilmember Samantha Scott.

APPROVAL OF MINUTES OF OCTOBER 7, 2015 REGULAR MEETING: *Councilmember Samantha Scott moved to approve the minutes of October 7, 2015. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott, and Clark voting in favor for a unanimous vote.*

UTAH NATIONAL GUARD FAMILY ASSISTANCE CENTER PROGRAM PRESENTATION - AMBER EVERLY: Amber Everly explained that the National Guard Family Assistance Center is located inside the National Armory in Vernal. The program exists to help take care of military families in the Uintah Basin with financial issues, insurance, health care and help veterans find jobs. Mayor Pro Temp Cowan asked if there was any discussion of deployment. Amber Everly answered that there are no plans in the foreseeable future. Councilmember Cowan thanked Ms. Everly for all the help to the service members and their work in the community.

REQUEST FOR FUNDING PARTICIPATION FOR HOSPITALITY CHANNEL - UINTAH COUNTY TRAVEL AND TOURISM - LESHA COLTHARP: Lesha Coltharp, representing the Uintah County Travel and Tourism, explained that the County has been working with VTV to launch a hospitality channel in local hotels. The channel features information on day trips, restaurants, and other points of interest to entice visitors to stay an extra night. The cost for this channel is \$1400 a month plus upkeep. She asked the City Council to consider using a portion of the restaurant tax to help fund this project as it does provide marketing for the City. Councilmember Cowan asked where the City spends the tax collected from restaurants and hotels. Ken Bassett stated the City receives 1% for this tax and subsidized the work at the museum with half of it and the remainder goes into the general fund. Lesha Coltharp stated they are hoping to receive \$5000 a year from the City. A short clip of the channel was displayed for the Council. Lesha Coltharp stated she is hoping to partner with Vernal City and Naples City to bring in tourist dollars. Councilmember Everett asked if this information is available 24

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hours a day. Leshia Coltharp answered yes. Councilmember Cowan suggested the Uintah Impact Mitigation SSD be approached to help fund this channel as well. Councilmember Clark indicated that with the shortfall in sales tax, the City is experiencing, it is difficult to fund any additional projects that are not already in the budget. Ms. Coltharp stated that on the State level all the parks are seeing an increase in tourism. After further discussion, *Councilmember Dave Everett moved to place this item on the list of projects for the next budget year. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Everett, Scott, Cowan, Munford and Clark voting in favor.*

PUBLIC HEARINGS: REQUEST FOR APPROVAL OF REZONE REQUEST AT 379 NORTH 500 WEST, VERNAL, UTAH FROM TREVOR CARTER / RANDALL & LORI MILLS FROM R-1 RESIDENTIAL TO R-4 RESIDENTIAL - ORDINANCE NO. 2015-24:

Ken Bassett explained that a public hearing has been scheduled to consider this rezone request to change the zoning from R-1 to R-4 on 2.6 acres of land. The Planning Commission held a public hearing on this request in September, and asked for additional information regarding previous rezones around this property in the past before making a final recommendation. This item was tabled to their next meeting, however, the Planning Commission did not meet at their regular meeting in October, so a recommendation has not been reached yet. Mayor Pro Tempore Cowan asked the property owner to explain this request.

Mr. Randall Mills stated that the developer, Trevor Carter, was told this request would not be heard until next month so he did not make plans to attend this meeting. The development plan for this parcel of property is to build 6 multi-family housing units similar to the Canyon Villa units in Maeser. There is an easement to allow access to the property. Ken Bassett asked if the easement was owned by Mr. Mills. Randall Mills answered that it is simply a recorded agreement. Mayor Pro Tempore Cowan asked if the neighboring property belonging to Basin Clinic was zoned CP-2. Ken Bassett answered yes. He noted that an R-4 zone allows the highest density for residential development. Mr. Mills asked why the Planning Commission has not made a recommendation. Councilmember Scott stated the regular Planning Commission meeting was not held in October. Mayor Pro Tempore Cowan apologized to the property owner for the confusion, and opened the public hearing.

Ken Bassett stated he did receive an e-mail from Andrew and Katie Grubaugh, 318 North 700 West, and they asked that their comments be considered. First, Katie Grubaugh wrote that she loves living in this area and has spent a lot of time and money on their home and is upset to think their neighbor may become a low income apartment complex. She did not understand how this could be developed without infringing on her property rights to enjoy her back yard. Further, multi-unit projects decrease property values and raise crime rates. Mr. Grubaugh, in his e-mail, urged the Council to use wisdom and prevent this project. Mayor Pro Tempore Cowan asked for clarification on this being low income housing. Mr. Randall Mills stated it is not low income housing and, in fact, the City did receive a request to rezone the property across the street for subsidized low income housing.

Norman Pease, neighboring property owner, stated he chose his property seventeen years ago to build a log home, and the entire area was zoned R-1 residential. Since that time there have been

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many rezones including commercial lots next to the street. He noted that this property only has one entrance onto a busy street for the children to get to school between two commercial lots. Further, Mr. Pease stated that likely these townhomes will sell for a lower price than single family homes and turn into rental units by investors turning this area into a quasi-commercial part of the City. He stated he would rather see single family residences.

Linzi Karren, neighbor to Graubach's, displayed a power-point presentation to illustrate how this new development will impact her neighborhood. She commented that the townhomes in Maeser are new so they look nice for now. She asked that this property be left for single family homes.

Brent Hales, representing Uintah Basin Medical Center, stated that they are also opposed to the potential of high density housing next to the clinic. There are no current plans to develop the remainder of their property, but high density housing will greatly impact the traffic coming around the corner. He acknowledged that the Medical Center is commercial, although it is more of a light commercial type business with professional services and does not impact the corner like a high retail area. He stated that Mr. Carter expressed the need for a transition zone between commercial and single-family residential at the Planning Commission meeting. Mr. Hales disagreed, stating that this light commercial is an easier transition to an R-1 residential zone. Further, Mr. Hales stated that his fear is the same as what has already been expressed, that this development will turn into low-income housing with that type of population not being conducive to their medical practice and diminish property values. He asked the Council to keep the vision of a light commercial corner with light residential surrounding it.

Mayor Pro Tempore reminded the audience that if they have rented in the Basin lately it is not a low-income proposition, and not all apartment dwellers should be painted with the same brush as low income.

Corey Foley, a friend of the developer, stated that he provided the appliances for the other complex in the Maeser area, and they are not low-income, but do provide an affordable option ranging in price from \$130,000 to \$150,000 for a 3 bedroom unit. He stated that possibly a trailer house could be placed on the land if it remains an R-1 residential zone. Ken Bassett stated a trailer would not be allowed. Corey Foley stated that any home or unit could end up being a rental.

Josh Karren, resident at 278 North 700 West, stated that he lives in a twin-home next to this property, and although he does not want to live there forever, this neighborhood feels safe. He stated that he see both sides of this dilemma, but as a homeowner, he is against this project. He noted that there are plenty of other areas to build high density housing.

Shane Mayberry, owner of the neighboring property, explained that he requested a commercial zone for his property a few years ago. The back portion of his lot remained an R-3 zone to protect the neighbor. This area is unique as it has become a very nice commercial area based on the old master plan showing this corner as commercial, not mixed use. Now the master plan is showing mixed use, and he asked when the master plan was changed. Councilmember Samantha

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Scott stated it was just updated this year. Mr. Mayberry stated the master plan is a powerful thing. He asked the Council to see the big picture and not change this area to high density housing, rather keep it as a professional plaza with churches and clinic. Ken Bassett asked Mr. Mayberry what the zoning was on his property before commercial. Mr. Mayberry stated it was a R-1 residential zone, and there was discussion regarding not rezoning any property in this area again. Ken Bassett stated the Planning Commission will review those minutes from previous rezone requests. Mayor Pro Tempore JoAnn Cowan asked if they need special permission for the amount of cars on a State highway. Ken Bassett stated they have to go through Utah Department of Transportation for the entrance to that property regardless of the zoning. Randall Mills stated they have checked with the State, and an access road is permitted. Shane Mayberry stated this proposal will encroach on his ability to use the right-of-way.

Councilmember Ted Munford stated he understands the concern of moving into an area that is zoned residential and have that change around them. However, this sounds like Shane is concerned about the value of his investment and his ability to use his property the way he envisions, yet Mr. Mills wants the same thing. A high density zone is typically used next to commercial, however, he acknowledged that this commercial area is different as it is not high impact so high density may not be necessary as a buffer.

Councilmember Bert Clark stated the parcel across the street also asked for an R-4 zone, and he was opposed as that development was high impact next to this highway. Councilmember Everett stated he would withhold his opinion until the Planning Commission makes a recommendation. *Councilmember Clark moved to not make a decision tonight and to continue this public hearing to the November 18th meeting. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Clark, Everett, Munford, Scott and Cowan voting in favor.*

Mayor Pro Tempore JoAnn Cowan invited everyone to attend that meeting.

Jeremiah Kindick stated he is interested in opening a vet clinic in the future and asked if he would have to go through this process. Mayor Pro Tempore JoAnn Cowan JoAnn stated there are certain areas that are already zoned for a clinic, and each community has a map showing where those areas are and it is smart to invest in the right area. Councilmember Munford encouraged Mr. Kindick to follow his dreams no matter the process.

ADJOURN: *There being no further business, Councilmember Bert Clark moved to adjourn. Councilmember Ted Munford seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.*

Mayor Pro Tempore JoAnn Cowan

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)